

REMARKS

Claims 35-48 are pending in this application. Claims 35 and 39-48 have has been amended. No new matter has been added.

Claim Rejections

Claims 35-48 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 35, Applicants have adopted the Examiner's suggestion to change “conversation” to “conversion”. Also, Applicants have amended claim 35, lines 23-26, to read “the readback signal sequence corresponding to said recorded information ~~again~~ read...(in retry mode)” to ensure that the lines are not confusing. Further, Applicants have amended the preamble of claims 39-48 to ensure consistency between the preamble of these dependent claims and the preamble of the base claim, claim 35, from which they depend.

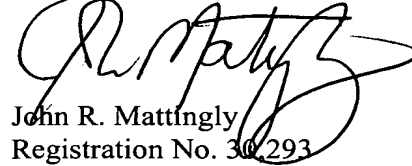
Double Patenting

Claims 35-48 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-29 of U.S. Patent No. 6,668,349. Applicants, without admitting to the propriety of the rejection, submit a Terminal Disclaimer to overcome the rejection in order to expedite prosecution of the application.

Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John R. Mattingly", is written over the printed name and registration number.

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